

GENERAL AND REVENUE SECRETARIAT.

190³-04
(Courts)

File No. 143.

Serial Nos. 1-3.

Papers Filed.

Month _____

SUBJECT.

*Re fees in ordinary Criminal
Cases to District Public Prosecutors
in the Madras Presidency.*

PREVIOUS REFERENCES.

jud L No 897 803/04

LATER REFERENCES.

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

†
Subject.

Re fees in ordinary
Criminal Cases to District
Public Prosecutors in the Madras
Presidency.

The First Assistant Resident's
letter No. 2483 dated 29.5.03.

*
Note.

The letter above referred to
was received in the Department
on the 18th June, without the Enclosure.
On a letter being sent to the Assis-
-tant Resident, regarding the
Enclosure, it was received here
yesterday.

Judicial File No. 89 A

D

- † 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

sequence of subject matter or date.
idents, or general rules which should always be quoted.

be given.
margin.

Filed
This may ~~also~~ be sent
to the Council Clerk for
being placed in the file
under circulation.

10/6/93 I think as the matter of
the appt of Pub Prosecutors for
Salt Lake County has
probably been disposed of in Council.
Matters now received

But the ^{Made} rules now received
~~seem to be~~ of use in connection
 with the drafting revised rules
 for the remuneration of
 machinists; which was ordered
 to be brought up after the appt of
 Put on? was sanctioned.

Put out?? was said
to please ~~put~~ bring up the necessary
refers in the course of the necessary
H. F. B.

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject.

Regarding the payment of fees in ordinary Criminal Cases to District Public Prosecutors in the Madras Presidency.

The First Assistant Resident's letter No. 2483 dated 29.5.03.

Note.

The letter above referred to was received here on the 1st June; but yet, the enclosures stated to have been forwarded with the letter, have not been received.

Submitted for orders.

P.V. The Political Branch 10/6. State that they have not received the enclosure till now. A draft to Revenue is put up.

17/6/03

11/6/03

- * 1. Statement of case in narrative form in regular sequence of subject matter or date.
 2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
 3. Serial numbers in file, &c., to be always stated.
 4. Dates of important documents referred should be given.
 5. Write on both sides, leaving the same side as margin.
- † 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

The question about remuneration of Pub. Pros. has been disposed of

11-6-03

FROM

R. C. H. MOSS-KING, Esq., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

TO

The Dewan of Mysore.

Dated Bangalore, 29th May 1903.

SIR,

In reply to Mr. Nanjundayya's letter No.J.1269, dated the 20th February 1903; on the subject of the conduct of Prosecutions in Sessions cases in the Courts of Assistant Sessions Judges in the Madras Presidency, I am directed to state that it has been ascertained from the Madras Government that such prosecutions are not usually conducted by Police officers, but by the District Public Prosecutors or if their services are not available, by pleaders specially appointed as public Prosecutors.

2. A copy of the rules governing the payment of fees to District Public Prosecutors in that Presidency in ordinary Criminal cases is enclosed. In cases of exceptional importance, special fees are sanctioned by the Madras Government. To pleaders other than District Public Prosecutors who may be

Recd 30/5/03
The enclosure has
not been recd
30/5/03
J.2562 ✓
Pol. 1833
No. 2483
sl to 1

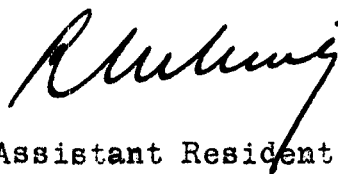
2

deputed to conduct prosecutions in Criminal cases fees are allowed
in accordance, so far as may be, with ^{the} principles underlying the
above rules.

I have the honour to be,

Sir,

Your most obedient servant,



First Assistant Resident.

J.H.

✓ G. H. 2 ✓

To,

The First Assistant
to the Resident in
Mysore

Dated 12/6/03

No. 2013
J. L.

Adverting to
para 2 of your letter
no 2483 dated 28th
May 1903, I am directed
to state that the copy
of the rules governing
the payment of fees
to the Public Prosecutor
in the Madras Presidency
in ordinary criminal
cases, said to have
been enclosed ^{thereto}, has
not ^{yet} been received
in this office till
~~now~~, and to request
that you ^{may} be
so good as to forward
the

seen - The question
has I believe been
already settled &

15/6/03

Enclosure

The payment of fees to Public Prosecutors in criminal cases is governed by the following rules:-

- (i) The District Magistrate is empowered to award fees to the Public Prosecutor for conducting criminal cases, whether at head quarters or in outlying Magistrates' Courts. The maximum fee payable is Rs 25/- for each case which does not last for more than a day. When a case lasts for more than one day, the maximum fee permissible is Rs 25/- for each day or part of a day during which the Public Prosecutor has been engaged in Court upon the case. The fee should be graduated with due regard to the merits of each case, the length of time taken in its disposal, the number of witnesses examined and its result. The District Magistrate should also refer, if possible, to a copy of the judgment in the case before sanctioning the fees therefor.
 - (ii) No fee is payable, as a general rule, for work done in examining the records or for services rendered out of Court.
 - (iii) If a Public Prosecutor is required to leave his head-quarters, he is granted, in addition to the travelling allowance admissible under the following rule, daily fees within the prescribed limits for days of which so much has been spent in travelling as to render it impossible for him to appear in Court in the discharge of his professional duties.
2. Public Prosecutors receive for journeys by rail, by sea or river and by road the allowances admissible for officers of the second class under Chapter XLVIII of the Civil Service Regulations. They are not entitled to any daily allowance, under the Civil Service Regulations.

El: 13765
23-6-03

1902-3

From

82666

THE FIRST ASSISTANT TO THE
HON'BLE THE RESIDENT
IN MYSORE,

To

Pol: 1945

THE DEWAN OF MYSORE.

3

Dated 19. 6. 03

Despatched

Received 23rd June 1903 5-15 PM

General No. 2857

No.

Enclosure No. 1

Forward a copy of the rules
governing the payment of
fees to the Dist. Public Prose-
cutors in the Madras Presidency
in ordinary Criminal Cases.

References to be marked.

Incl

Dec 13. 5. 03

I the Dist. Secy.

ccy. in the Dist. Secy.

MGCPB-1,000-5-6-03

Sub?

A copy of this has already
been received. The file will be sent after
issue of orders in the matter of apt. 2 of
P. M. L. Prosecutors for the North
and South Courts as already directed.
24/6/03 J. S.

St 203

6

No. 2857. En

Recd 19/6/03 Hk
J. H. King

10962
19.6.03

FROM

R. C. H. MOSSKING, Esq., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

und
20. VI. 03

TO

The Dewan of Mysore.

Dated Bangalore, 19 June 1903.

SIR,

As requested in Mr. Nanjundappa's letter No. 2013, dated the 12th June 1903, I am directed to forward a copy of the rules governing the payment of fees to the District Public Prosecutors in the Madras Presidency in ordinary criminal cases, and to express regret that, through an oversight on the part of the office, it was not previously sent.

I have the honour to be,
Sir,

Your most obedient servant,

E. H. King

for First Assistant Resident.

7
Encls to Ltr No. 3

Enclosure.

The payment of fees to Public Prosecutors in criminal cases is governed by the following rules:-

- (i) The District Magistrate is empowered to award fees to the Public Prosecutors for conducting criminal cases, whether at head-quarters or in outlying Magistrates' Courts. The maximum fee payable is Rs 25/- for each case which does not last for more than one day. When a case lasts for more than one day, the maximum fee permissible, is Rs 25/- for each day or part of a day during which the Public Prosecutor has been engaged in Court upon the case. The fee should be graduated with due regard to the merits of each case, the length of time taken in its disposal, the number ^{of} witnesses examined and its result. The District Magistrate should also refer, if possible, to a copy of the judgment

judgment in the case before sanction-
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(ii) No fee is payable, as a general rule, for work done in examining the records or for services rendered out of Court.

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2. Public Prosecutors receive for journeys by rail, by sea or river and by road the allowances admissible for officers of the second class under chapter XCVIII of the Civil Service Regulations. They are not entitled to any daily

daily allowance under the Civil Service
Regulations -

Copy

A. S. Parvathi

Ag. Registrar.

18.